Message Text

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FOR USDEL TO HUMAN RIGHTS COMMISSION

E.O. 11652: GDS

TAGS: SHUM, UNHRC

SUBJECT: HUMAN RIGHTS COMMISSION, 34TH SESSION: AGENDA ITEM 11, FURTHER PROMOTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

REFS: A) GENEVA 2901, B) GENEVA 2903 C) GENEVA 2488 D) STATE 43054

1. DEPARTMENT SUPPORTS PROPOSAL FOR A SPECIAL SESSION OF THE HUMAN RIGHTS COMMISSION TO CONDUCT THE OVERALL ANALYSIS CALLED FOR IN GA RESOLUTION 32/130. A SPECIAL SESSION IS CONSISTENT WITH PRESIDENT CARTER'S STATEMENT BEFORE THE UN CONFIDENTIAL

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IN MARCH 1977. A SPECIAL SESSION OF THE FULL MEMBERSHIP OF THE COMMISSION, RATHER THAN A WORKING GROUP, WOULD BE A BETTER FORUM IN WHICH TO PROMOTE US POLICIES AND OBJECTIVES. DEPARTMENT SUPPORT FOR SPECIAL SESSION IS ALSO BASED ON THE ASSUMPTION THAT A WORKING GROUP WOULD HAVE A LIMITED MEMBERSHIP AND WOULD BE "OPEN-ENDED" ONLY IN SO FAR AS OBSERVERS ARE CONCERNED. IF THIS IS NOT THE CASE, PLEASE

INFORM.

2. DEPARTMENT CONSIDERS THAT COMMISSION SHOULD ACT ON THOSE PROPOSALS THAT ARE READY FOR ACTION RATHER THAN WAITING FOR CONSIDERATION OF THE OVERALL ANALYSIS, PROVIDED ACTION WOULD IN NO WAY PREJUDGE OR PREJUDICE ANY RESULTS

F THE SPECIAL SESSION. IN THIS MANNER THE WORK LOAD OF A SPECIAL SESSION WOULD BE LIGHTENED. MOREOVER, IT WOULD ADD CREDENCE TO A MOVE TO SEPARATE THE HIGH COMMISSIONER PROPOSAL FROM THE OVERALL ANALYSIS AND MOVE PROPOSAL FORWARD INTO ECOSOC.

- 3. ON SPECIFIC PROPOSALS MENTIONED IN REFTEL B, US DELEGATION MAY JOIN IN CONSENSUS ON INDIAN PROPOSAL (GENEVA 2545). IN SHORT EXPLANATION OF VOTE YOU SHOULD STATE THAT;
- -- US WELCOMES INVITATION TO ALL MEMBER STATES TO SET UP NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS:
- -- THE US ALREADY POSSESSES SEVERAL INSTITUTIONS TO PROTECT HUMAN RIGHTS SUCH AS OUR INDEPENDENT JUDICIARY AND THE US CIVIL RIGHTS COMMISSION;
- -- WE WILL LOOK SERIOUSLY AT THE POSSIBILITY OF INCREASING OR STRENGTHENING OUR EXISTING INSTITUTIONS.

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WITH RESPECT TO JORDANIAN PROPOSAL FOR TWO ANNUAL SESSIONS OF THE HRC, US DEL SHOULD ADVISE DEPARTMENT IF PROPOSED CHANGES (STATE 44065) WERE ACCEPTED.

- 4. DEPARTMENT AGREES WITH SUGGESTION IN REFTEL C PARA 3 THAT THE SUGGESTION FOR AN INTER-SESSIONAL ROLE FOR THE BUREAU SHOULD BE HANDLED TO ASSURE THAT THE TASK OF CARRYING OUT THIS VERY IMPORTANT STUDY NOT BE LEFT PRIMARILY TO THE SECRETARIAT. THE MAXIMUM PARTICIPATION OF GOVERNMENTS SHOULD BE ASSURED.
- 5. ALL OTHER EFFORTS TO UPGRADE THE ROLE OF THE SECRETARIAT SHOULD BE APPROACHED WITH CAUTION. DELEGATION WILL REMEMBER THE HISTORIC DIFFICULTIES OF THE HUMAN RIGHTS SECRETARIAT IN MAINTAINING IMPARTIALITY IN THE FACE OF SOVIET PRESSURES WHICH LED TO THE EVENTUAL REPLACEMENT OF THE DIRECTOR.
- 6. THE NIGERIAN SUGGESTIONS FOR A COORDINATOR FOR HUMAN RIGHTS COULD EASILY SUFFER FROM THE SAME DEFICIENCY OF INDEPENDENCE WHICH MUST ALWAYS BE EXPECTED FROM THE SECRETARIAT. VANCE

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